

Project Factsheet for: Recreational Cottage Site & Residential Leases -- Mississippi River

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Project Location Information

Location:Mississippi River
River Basin(s): Mississippi
State(s): IA, IL, MO, WI
Congressional District(s): WI-3, MO-9, IL-17, IL-16, IA-2, IA-1

Status

Information only.

Description

There are 500 recreational cottage site and 29 residential leases on Federal land along the Mississippi River in the Rock Island District. There are additional cottage site leases in St. Louis and St. Paul Districts. Only the leases in Rock Island District are discussed in this paper; however, the leases in all Districts are administered in accordance with the same law and policy.

In 1966, the Chief of Engineers established a policy to phase out all cottage site and residential leases on Federal lands along the Mississippi River to comply with a floodplain management Executive Order and to return the land to public use. The policy resulted in a deadline of 31 December 1989 for all of the leases to be eliminated. The policy was in effect until 1986.

In 1986, the United States Congress passed Public Law 99-662, which requires that these leases be continued after 31 December 1989 until such time as the lease is terminated by the lessee or by the Secretary of the Army. The law provides that the Secretary of the Army may terminate a lease if the land is required for public use or if the lessee substantially violates the terms and conditions of the lease. The law further provides that any continuation of the leases shall be at fair market rental.

The leases were all re-appraised prior to renewal of the leases in 1990. The rental will continue to be reviewed at five-year intervals and adjustments made to require payment of fair market rental. In the Rock Island District the lowest annual lease rent is \$125, the highest is \$2,100 and the average is \$940. The total annual rental for all these leases in Rock Island District is \$497,785.

FEMA and the state floodplain and emergency management agencies have concerns about the cottages sustaining flood damage that results in repetitive insurance claims and disaster assistance claims. In view of Public Law 99-662, the Corps cannot terminate the leases solely because they are in the floodplain or because a lessee makes repetitive insurance or disaster assistance claims. FEMA requires the local communities to enact and enforce flood plain management ordinances to retain eligibility for flood insurance. We coordinate with the local communities where leases are located to determine that the lessees are complying with local requirements regarding repair and reconstruction of flood damaged structures to limit future flood damages at the lease sites.

Authority

SI - Special Interest --

Project Manager Information

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